

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

SUPERIOR MEDICAL RESPONSE INC.)

Plaintiff)

v.)

CAPITOL SPECIALTY INSURANCE INC.)

Defendant)

Case 1:20-cv-17452-RMB-AMD

Motion Day: April 19, 2021

DEFENDANT’S MOTION TO JOIN ADDITIONAL PARTY TO COUNTERCLAIM

Defendant Capitol Specialty Insurance Corporation (“CSIC”)¹ respectfully moves the Court for an order making ModivCare LLC, formerly known as LogistiCare Inc. (“LogistiCare”), a defendant to the counterclaim set upon CSIC’s answer in this action, pursuant to Rule 13(h) of Federal Rules of Civil Procedure, on the ground that LogistiCare’s presence is required under Rule 19(a) for the granting of complete relief in the determination of such counterclaim, and that jurisdiction of LogistiCare can be obtained and such joinder will not deprive this court of jurisdiction of the action. Pursuant to Local Civil Rule 7.1, a brief in support of this motion is submitted herewith and a proposed order is attached for the Court’s convenience.

CERTIFICATE OF SERVICE

I hereby certify that on March 22, 2021, copies of the foregoing motion, accompanying brief, and proposed order were filed and served electronically through the Court’s CM/ECF System on the following:

Alexander Kadochnikov
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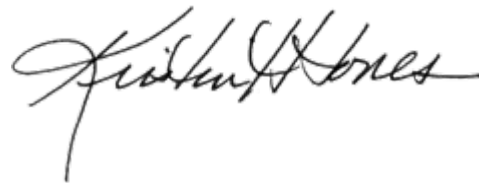
¹ The caption of the Complaint identifies the defendant as Capitol Specialty Insurance Inc. however the correct company name is Capitol Specialty Insurance Corporation.

akadochnikov@sbagk.com

Counsel for Plaintiff

Respectfully submitted,

TROUTMAN PEPPER

A handwritten signature in black ink, appearing to read "Kristin H. Jones". The signature is fluid and cursive, with the first name "Kristin" and last name "Jones" clearly distinguishable.

Kristin H. Jones

NJ Bar ID No. 016462000

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